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"Diocese of Wilk. Suspense"

## UNITED STATES DISTRICT COURT

District of

DELAWARE

LT. CMDR. KENNETH J. WHITWELL,  
PLAINTIFF

## SUMMONS IN A CIVIL CASE

V.

ARCHMERE ACADEMY, INC.,  
CATHOLIC DIOCESE OF WILMINGTON,  
INC., REV. EDWARD SMITH and  
REV. MICHAEL A. SALTARELLI  
DEFENDANTS

CASE NUMBER: 05 - 796

TO: (Name and address of

Catholic Diocese of Wilmington, Inc.  
Serving as its own registered agent  
1626 N. Union St.  
Wilmington, DE 19806

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Thomas S. Neuberger, Esquire  
The Neuberger Firm, P.A.  
Two East Seventh Street, Suite 302  
Wilmington, Delaware 19801Phone: 302-655-0582  
Fax: 302-655-9329

an answer to the complaint which is served on you with 20 days after  
of this summons on you, exclusive of the day of service. If you fail to do so,  
judgment by default will be taken against you for the relief demanded in the  
complaint. Any answer that you serve on the parties to this action must be filed  
with the Clerk of this Court within a reasonable period of time after service.

PETER T. DALLEO

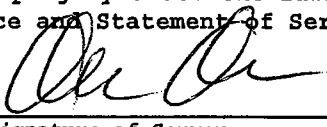
NOV 17 2005

CLERK

DATE

Evelle Whitson  
(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was <u>made by me<sup>(1)</sup></u>	DATE	<u>1/4/06 @ 1:57 pm</u>
NAME OF SERVER (PRINT) <u>ADAM GOLDEN,</u>	TITLE	<u>SPS</u>
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. _____		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a discretion then residing therein. Name of person with whom the summons and _____		
<input type="checkbox"/> Returned _____		
<input checked="" type="checkbox"/> Other <u>SERVED AT 1925 Delaware Avenue, Wilmington, DE on JOAN LAWYER,</u> <u>ADMIN. SECRETARY TO MONSIGNOR THOMAS CINI, AUTHORIZED TO ACCEPT SERVICE</u> <u>White female, 45-50, 5'3, 110 lbs, black hair, glasses.</u>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
<p style="text-align: center;">I declare under penalty of perjury under the laws of the United States of America contained in the Return of Service and Statement of Service Fees is true and correct.</p> <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="width: 30%;"> <p>Executed <u>1/4/06</u></p> <p style="text-align: center;">Date</p> </div> <div style="width: 60%; text-align: center;">   <p>Signature of Server</p> <p><b>D. M. PROFESSIONAL SERVICES</b>            5 Orchard Lane            Wilmington, DE 19809</p> <p>Address of Server _____</p> </div> </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

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PETER J. PATTER